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WILLIAM FAMULARO

6 (Additional counsel on signature page)
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 OBELIA D. VILLAFLO, et al.,

13 Plaintiffs,

14 v.

15 EXPERIAN INFORMATION SOLUTIONS,
INC.,

16 Defendant.
17

Case No. C 08-04941 MMC

**REQUEST FOR DISMISSAL AND
~~PROPOSED~~ ORDER**

**Assigned for all purposes to the
Honorable Maxine M. Chesney**

REQUEST FOR DISMISSAL

WHEREAS, on October 10, 2008, plaintiffs Obelia Villaflor and William Famularo (“Plaintiffs”) filed the operative Second Amended Complaint (“SAC”) in the above-entitled action;

WHEREAS, the SAC alleges that Plaintiffs requested and received from Experian file disclosures containing credit information in their respective Experian credit files which, Plaintiffs allege, did not clearly describe the status of three credit accounts held by Plaintiffs, in particular Ms. Villaflor’s account with TNB-Target and Mr. Famularo’s accounts with American General Finance and Option One Mortgage;

WHEREAS, Experian contends that the information in Plaintiffs’ file disclosures was accurate, that the creditors reported the status of Plaintiffs’ accounts to Experian in precisely the same manner that Experian disclosed it in the file disclosures, and that the file disclosures did not, and could not, harm Plaintiffs in any way.

WHEREAS, on July 10, 2009, the parties and their counsel participated in good faith in a Court-ordered mediation session conducted by C. Delos Putz, Esq.;

WHEREAS, following that mediation session, the parties and their counsel continued to engage in good-faith settlement discussions and have reached agreement on a confidential Settlement Agreement and Release (“Settlement Agreement”).

WHEREAS, in the Settlement Agreement, Experian agrees to comply with specified procedures for preparing file disclosures to consumers of information similar to the tradelines at issue in this action and also agrees to make modest payments to Plaintiffs and their counsel for their efforts in bringing this action; and

WHEREAS, the Settlement Agreement will cause no prejudice to putative class members because (i) there has been no publicity concerning this case; (ii) the parties have no reason to believe that any putative class member has refrained from bringing any action in reliance upon the filing of this action; (iii) the rights of the putative class have been protected by the tolling of the statute of limitation on any individual claims they may have; and (iv) the dismissal of this action would not affect the individual claims of any putative class member;

1 NOW, THEREFORE, Plaintiffs, with Experian's consent, hereby request the dismissal of
2 their individual claims and the above-entitled action, with prejudice.

3 Dated: ^{Dec. 2, 2009} ~~October __, 2009~~

Respectfully submitted,

4 ROTHSTEIN ROSENFELDT ADLER

5
6 By: /s/ Seth Michael Lehrman
Seth Michael Lehrman

7 Attorneys for Plaintiffs

8 Dated: ^{Dec. 1, 2009} ~~October __, 2009~~

STEVEN F. GROVER, P.A.

10
11 By: /s/ Steven F. Grover
Steven F. Grover

12 Attorneys for Plaintiffs

13 Dated: ^{Dec. 2, 2009} ~~October __, 2009~~

LAW OFFICES OF JAMES S. KNOPF

15
16 By: /s/ James S. Knopf
James S. Knopf

17 Attorneys for Plaintiffs

18 Dated: December 2, 2009

JONES DAY

19
20 By: _____
Michael G. Morgan

21 Attorneys for Defendant
22 EXPERIAN INFORMATION SOLUTIONS,
23 INC.

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4 ROTHSTEIN ROSENFELDT ADLER

5
6 By: _____
Seth Michael Lehrman

7 Attorneys for Plaintiffs

8 Dated: October __, 2009

STEVEN F. GROVER, P.A.

9
10 By: _____
Steven F. Grover

11 Attorneys for Plaintiffs

12 Dated: October __, 2009

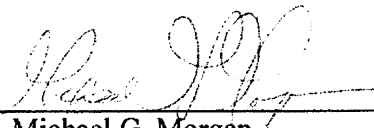
LAW OFFICES OF JAMES S. KNOPF

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14 By: _____
James S. Knopf

15 Attorneys for Plaintiffs

16 Dated: December 2, 2009

JONES DAY

17
18 By:  _____
Michael G. Morgan

19 Attorneys for Defendant
20 EXPERIAN INFORMATION SOLUTIONS,
21 INC.

~~PROPOSED~~ ORDER

Having read and considered the Request for Dismissal of Action with Prejudice, and for good cause shown,

IT IS HEREBY ORDERED that the Request for Dismissal of Action with Prejudice is GRANTED; and

THIS ACTION IS DISMISSED WITH PREJUDICE, with each side to bear their own costs.

IT IS SO ORDERED.

Dated: December 3, 2009

By: 
MAXINE M. CHESNEY
United States District Judge